



February 10, 2025

TO: Representative Sean Tarwater and Members of the House Committee on  
Commerce, Labor and Economic Development

FR: Meghan Shreve, Associate Director, InterHab

RE: Neutral Testimony & Recommended Amendments for House Bill 2310

Chair Tarwater, and members of the committee, thank you for the opportunity to share testimony on House Bill 2310. My name is Meghan Shreve, and I am the Associate Director for InterHab, representing providers of intellectual and developmental disabilities across Kansas. While the aim of 2310 in furthering the professionalization of Direct Support Professionals is laudable, InterHab's members share a number of concerns with the bill. Today I share neutral testimony for HB 2310 and share areas of the bill which require further attention and consideration. With the necessary improvements, this bill could earn our support.

**Areas that Require Attention:**

**Section 3(c):**

*"The department shall adopt the e-badge academy program of the national alliance for direct support professionals or a substantially similar career development and professional certification program for applicable department employees and contractors by December 31, 2025. The department shall encourage and support participation in such e-badge academy program or substantially similar career development and professional certification programs in this state."*

InterHab is supportive of efforts to develop greater professionalism within the DSP workforce. That is why we partnered with the Kansas Department of Commerce in 2023 to develop a registered apprenticeship program for Kansas DSPs. Our registered apprenticeship program, called DSP+, has now enrolled more than 100 DSPs across Kansas. Registered apprenticeships are powerful "earn while you learn" opportunities that reflect evidence-based approaches to professional development within a broad spectrum of workforces across the globe.

Every DSP that completes apprenticeship in the DSP+ program receives a national apprentice credential that they can take with them in any future professional step they take. Our DSP+ program features more

than 360 hours of formal curriculum offered via eight online college “badge” courses offered by Wichita State University. This curriculum provides college credits in addition to all other benefits of apprenticeship. DSP+ apprenticeship candidates also are required to complete 12 months of on-the-job training and mentoring guided by an established curriculum. The DSP+ program has been offered free of charge to all participating DSPs because of federal grant funds through the US Department of Labor.

While the offerings of the National Association of Direct Support Professionals are high quality, they are also expensive. This bill is silent on how costs to access this resource would be apportioned. IDD service providers are chronically underfunded and many lack sufficient funds to cover the current training required for their workforce. Adding another unfunded mandate for DSP certification is unfair to providers.

**Recommended amendments:** Remove reference to the NADSP and add language indicating participation in any professionalization effort is voluntary for DSPs and providers. Provide funding in the bill to cover professional development of DSPs.

#### **Section 4 (a):**

*New Sec. 4. (a) In cooperation with the secretary of administration, the secretary shall adopt a performance-based contract program whereby the department shall measure and improve care management quality by including contract quality terms in contracts with managed care organizations and other contractors and shall withhold a portion of state payments to such contractors for release when such contract quality terms are met.*

InterHab supports the language included in the recently rewarded KanCare contracts that directs Managed Care Organizations to pursue exploration of greater levels of value-based-arrangements in the arena of long-term services and supports. This section of HB 2310 appears to not be germane to this bill’s greater focus on workforce development and may also be unnecessary in light of the aforementioned direction provided to MCOs through their most recent contracts with the state.

**Recommended action:** This section should be stricken from the bill.

#### **Section 5 (a):**

*“On or before December 31, 2026, the secretary shall develop and implement procedures and guidelines that permit individuals*

*with intellectual and developmental disabilities greater choice when receiving supports and services through waiver programs administered by the secretary. The secretary shall develop and implement these procedures and guidelines with the goal of increasing flexibility for waiver participants to select personalized services and supports, including the selection of the provider of such services and the manner by which such services are provided. Such procedures and guidelines shall be developed to allow waiver participants to take responsibility for managing all aspects of service delivery in the supports and services planning process.”*

While the goal of this language is aspirational, we have concerns in how this focus on increased self-direction will be executed successfully. KDADS is currently engaged in pushing several significant changes to the IDD system and this section would add yet another large-scale change to KDADS’ plate. KDADS has also struggled to include IDD service providers in meaningful collaboration on development of such systems changes, and this bill is silent on any requirement that KDADS engage providers, families, and persons supported in the planning of this new waiver element.

Further, poorly designed self-direction efforts can add unnecessary complexities in navigating service for Kansans with IDD. Complications can include unnecessary complexities in navigating services, poorly defined and communicated options, inadequate training for individuals on how to successfully utilize self-direction, and inadequate state oversight and support.

**Recommended action:** Remove this language in favor of language indicating that KDADS will engage in exploration of the addition of self-directed services in full collaboration with individuals, families, and providers, and will bring any recommended changes back to the legislature for approval on or before December 31, 2026.

**Section 5(b):**

*“Subject to appropriations on or before December 31, 2026, the secretary shall achieve rate parity across all state waiver programs administered by the secretary. Thereafter, the secretary shall require that an increase in the rate for one waiver program is matched with an equivalent increase in rates in all other waiver programs.”*

This language appears to not be germane to the rest of this bill's focus, which is squarely aimed at the development of the Direct Support Professional workforce.

**Recommended amendments:** This section should be stricken from the bill.

#### **Section 8:**

*"K.S.A. 75-6506 is hereby amended to read as follows: 75-6506. (a) The participation of a person qualified to participate in the state health care healthcare benefits program shall be voluntary, and the cost of the state health care healthcare benefits program for such person shall be established by the Kansas state employees health care healthcare commission."*

While this concept is intriguing, not enough information is currently available to know if this option would be viable for providers. Additional research should be done to confirm the current statute, as it stands today - state health plan participation may already be an option for providers. Providers were not invited to explore this element of the bill as it was developed and have no idea if participation in the state's plan would be more or less costly than their current plans or whether the state's plan would provide similar coverage to what providers currently offer their employees. Further, the historic track record on participation in state benefit programs, such as KPERS, has historically been problematic for IDD service providers. Several decades ago, KPERS was opened for IDD service provider participation, and many made the decision to join. As a result, they were locked into that program and have experienced increasing costs of participation that have made the original decision to join much less positive for many of those providers. More analysis would be required before we could indicate whether this section would truly represent a helpful opportunity for IDD service providers.

**No recommendation:** This section needs to be researched and explored further to determine viability.

As you can see from the information shared above, additional data is needed to guide and amend SB 2310 to ensure the best outcomes for Kansans working in the IDD field. Essential collaboration is also needed to ensure we are meeting the needs of those who may be impacted by this bill. InterHab and provider organizations across Kansas stand ready to assist as needed and hope to strengthen the direct support workforce in Kansas.